

Social structures and desistance from crime

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Abstract

Desistance studies have routinely focused on issues such as family links, employment prospects and moving away from criminal friends, but they have said less about the meso- and macro-level structural issues that might facilitate or impede the transition of ex-offenders to the status of more mainstream members of civil society. Yet, in view of the necessary interaction between agency and structure in producing processes of desistance, a consideration of social structures (and the implications of changes in structures) is clearly of some importance. This paper addresses these issues, with special reference to recent structural changes in the UK in the fields of employment, families and housing, and criminal policy. The paper concludes with a discussion of conceptual foundations for social policy responses.

Keywords

'capability approach', desistance, human agency, social exclusion, social structures

Introduction

Desisting from crime is a common, not a rare occurrence, even among recidivist offenders and has been shown in previous research to be linked to changes in offenders' lifestyles. In particular, such research (beginning with Sampson and Laub's classic study of 1993) has emphasized the importance of attachment to pro-social sources of informal social control, notably by acquiring a stable partner, obtaining and remaining in suitable

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employment, and moving away from criminal friends. Additionally, the process of desistance has increasingly – and in our view rightly – been seen as intrinsically linked to the agency of the offender, with decisions to desist, or at least to try to change one's lifestyle, interacting with the offender's social setting and with opportunities to lead a more conformist life (Bottoms, 2006; Farrall and Calverley, 2006; Giordano et al., 2002; Laub and Sampson, 2003; Maruna, 2001). However, agency is always exercised within the context of social structures, and there has been far less enquiry into the potential impact of social-structural differences – in different countries or different decades – on opportunities for and processes of desistance (although see Farrall, 2009; Savolainen, 2009). Such structures, and episodes of structural change, are important because they may present new possibilities for human agency (they may be enabling), as well as sometimes closing down to some agents avenues that were once open to them (they may also be constraining).

In the analysis that follows we address these issues, drawing on our own recent experience of two separate empirical research studies of desistance in the UK (Bottoms et al., 2004; Bottoms and Shapland, 2010; Farrall, 2002; Farrall and Calverley, 2006). This research has taught us that most repeat offenders who wish to desist see the process of desistance as a way of charting a path towards greater social inclusion in 'mainstream' society (see especially Shapland and Bottoms, forthcoming). This theme – the journey from social exclusion to social inclusion – is therefore one of the three major conceptual strands in our analysis, along with those of desistance and of social structures.

This paper contains four main sections. In the first, we discuss more fully some issues relating to social exclusion and inclusion. Then, secondly, we clarify the concept of 'structures' and attempt to show how structures might be linked to processes of desistance. Thirdly, using macro-level data from England and Wales, we consider evidence of some structural changes in society in recent decades, and how such changes might have made the process of desistance easier or more difficult. Finally, we consider whether Amartya Sen's (2009) 'capability approach' has value as an organizing framework in thinking about policy responses to the social situations we have described.

Desistance and pathways towards social inclusion

Since desistance is the process of turning away from criminality, and especially habitual criminality, we follow other desistance researchers in omitting any discussion of that relatively large group of people who are, so far as the criminal justice system is concerned, 'one-off offenders' – that is, they are convicted once and then (officially at least) 'go straight'.¹ Perhaps more controversially, we also leave on one side those who commit a couple of offences in adolescence but then stop, and are therefore prime exemplars of Moffitt's (1993) 'adolescence-limited' offenders. Instead, our focus is on desistance from crime by adult offenders (aged 18+), especially by more frequent or serious offenders, many of whom will have served at least one prison term. For such a group, what might a journey to desistance look like?

Michel Foucault, writing about the upheavals in penal thought and penal practice in the late 18th century, characterized the policy proposals of the 'reforming jurists'

(such as Beccaria, 1995 [1764]) as being, above all, concerned with ‘punishment as a procedure for requalifying individuals as subjects, as juridical subjects’ (Foucault, 1977: 130). In an era when the concept of human rights has a strong purchase in political theory, this kind of conceptual model of punishment has many theoretical attractions. But, as anyone with practical experience of the criminal justice system knows, applying such a model to the real world is not straightforward. An adult offender with two or more convictions, whether or not he/she has served a prison term, will have significant difficulties in becoming a ‘requalified citizen’. These difficulties can be of many kinds, including the economic (e.g. getting and keeping a job), the relational (e.g. rebuilding relationships with a spouse and family members after the shame of conviction) and the emotional (e.g. learning which social contexts will be accepting of ex-offenders, and which rejecting). In short, therefore, the process of having been convicted as a recidivist adult offender entails a degree of *social exclusion*, and – unless the offender is exceptionally fortunate – probably also an element of rupture of pre-existing social ties.

For those attempting to desist, this entails a process of trying to become again (or, perhaps, trying to become for the first time as an adult) a ‘mainstream member of civil society’. Many such offenders will have experienced many forms of social exclusion. For example, the prison population contains disproportionate numbers of people who have lived in the most socially deprived areas (see Houchin, 2005); similarly, recidivist offenders have frequently left school with no qualifications and been excluded from school at least once. Coming back from such social disadvantage is difficult, but it is not impossible, as a former substance abuser hearteningly explained (Mercier and Alarie, 2002: 234):

I am not a shame for society anymore. I am not living on society, giving back nothing. There was a time when my name did not appear on any computer, not even on social security databases, or electoral lists, or income taxes. . . Anonymous, completely anonymous . . . I did not want to be part of society, of the system. . . And now, my name is on many files, I even voted, I quitted anonymity. . . Now I have a bank book, my name is in the telephone book.

So let us look more carefully at this kind of journey ‘back towards the mainstream’. In the first place, what exactly is meant by ‘social exclusion’ – the social state from which, in our analysis, the desisting offender is trying to move away? The term ‘social exclusion’ is to a degree contested, and it is used differently by different writers. For present purposes, we think it is sufficient to focus on the clarificatory discussion by leading researchers at the Centre for Analysis of Social Exclusion (CASE) at the London School of Economics (Burchardt et al., 2002). These writers’ ‘working definition’ of social exclusion is as follows (2002: 30): ‘An individual is socially excluded if he or she does not participate in key activities of the society in which he or she lives.’

However, the authors also tell us that their definition originally contained two further clauses, which – because they were principally concerned with issues of empirical measurement – they eventually discarded as being ‘too difficult to operationalize at the first attempt’. These extra clauses are (Burchardt et al., 2002: 32):

1. the individual is not participating for reasons beyond his control, and
2. he or she would like to participate.

These additions are in our view vital, but we shall analyse them in reverse order. First, then, although desistance researchers have identified occasional cases where desistance occurs almost accidentally,² they have far more frequently reported that repeat or serious offenders begin their journey to desistance by deciding that they *would like to put offending behind them* (e.g. LeBel et al., 2008) – though achieving such an objective often turns out to be difficult. In expressing such desires, offenders typically articulate their wishes in terms wider than simply ‘going straight’; for example, they might say that they would like to ‘be a family man’, to ‘live a normal life’, to ‘get a steady job’ or to ‘be a good person’. In other words, in the terminology of Burchardt et al., they ‘would like to participate’ more fully as mainstream members of society.³ Secondly, we note Burchardt et al.’s requirement that, for social exclusion to exist, the lack of participation should be for ‘reasons beyond [the subject’s] control’. In this paper, we are particularly concerned with possible *structural impediments to desistance* – or, otherwise stated, structural impediments to increased participation in mainstream society. Hence, we ask the questions: where an offender wishes to desist, how far do social structures impede or encourage that process, and, if they impede desistance, what can be done to alleviate this? Such blockages, where they exist, necessarily entail that, at least to an extent, ‘the individual is not participating for reasons beyond his control’.⁴

What, finally, does Burchardt et al.’s (2002) definition mean when it speaks of not participating in ‘key activities of the society in which [the person] lives’? For their purposes, the CASE researchers identified the following four social dimensions as ‘key’ (Burchardt et al., 2002: 31):

<i>Consumption:</i>	the capacity to purchase goods and services;
<i>Production:</i>	participation in economically or socially valuable activities;
<i>Political engagement:</i>	involvement in local or national decision-making [including voting];
<i>Social interaction:</i>	integration with family, friends and community

Our own recent research suggests to us that, from the point of view of would-be desisters, ‘political engagement’ is the least important of these dimensions.⁵ But would-be desisters usually place considerable emphasis on ‘social inclusion’ in respect of each of the other features of the CASE analysis, i.e. consumption, production and social interaction. Like most others in a consumer-oriented society, they wish to *consume*, but, in trying to move away from criminal activity, they increasingly wish their consumption of household goods and entertainment activities to be financed by legally acquired income rather than by the proceeds of property crime or drug dealing.⁶ Such a move from illegal to legal sources of income, if it is to be achieved, necessarily requires that they participate in economic or social *production*. Finally, most would-be desisters consider *integration with family, friends and community* to be a highly desirable objective, though often they are in a process of redefining such ‘integration’, for example by moving away from criminal friends and towards a stable romantic partnership.

How important are specific social structures in enabling or hindering would-be desisters' attempts to become more integrated 'mainstream members of civil society'? As Siennick and Osgood (2008: 165) have noted, there is a difference of emphasis on this question within the literature on criminal careers. Some researchers consider that the structural element in desistance is mainly linked to age-related informal social control ('social bonds', especially employment and romantic partnerships) and argue that these remain perennially important – for example, across societies with different social-structural arrangements, as well as across time (i.e. as much in 2011 as in 1951). Other researchers are sceptical of this view; for them, the macro-social conditions (decade, country, etc.) in which data are collected can be of decisive significance. The limited empirical data suggest that both sides have a point. There is, for example, evidence that some of the basic findings of the 'social bonds' explanatory framework are as valid for Finland in the 1990s as for the eastern United States in the 1940s (Savolainen, 2009). Equally, however, Sampson and Laub (1993) – the originators of the age-related 'social bonds' approach – have shown that, in the Gluecks' original sample (Glueck and Glueck, 1950), a specific piece of legislation ('the GI Bill'⁷) materially assisted later 'occupational attainment and socioeconomic well-being . . . especially among former delinquents' (Sampson and Laub, 1996: 364). Or again, as we shall discuss more fully later, Savolainen (2009) – notwithstanding the general support of his Finnish data for the cross-cultural validity of the social bonds approach – demonstrated that culturally specific patterns of cohabitation in Finland produced some distinctive results by comparison with US samples. Results of this latter kind in our view justify more explicit attention to specific social structures than has usually been apparent in most previous studies of desistance.

Linking structures and desistance

Our key arena of enquiry is the relationship(s) between potential desisters' own actions (their agency, beliefs and identity) and those structural properties of any social system that are important to desistance. A decade ago, Farrall and Bowling (1999) raised questions about the relationship between agency and structure as it pertained to desistance. They argued that 'the process of desistance is one that is produced through an *interplay* between individual choices, and a range of wider social forces, institutional and societal practices which are beyond the control of the individual' (1999: 261).⁸ That remains a valid observation but, in the decade since it was written, sociologists' theoretical understanding of the relationship between agency and structure has advanced. In what follows, we draw especially upon an important recent contribution by Nicos Mouzelis (2008), who critiques and reorganizes some of the more significant previous attempts to bridge the agency/structure divide, in particular those by Giddens (1984) and Bourdieu (1977, 1990).

Giddens' structuration theory

Central to Giddens' theory is the concept of the 'duality of structure', according to which 'the constitution of agents and structures are not two independently given sets of phenomena, a dualism, but represent a duality' (Giddens, 1984: 25). Hence, the 'structural properties of social systems . . . are the medium and outcome of the

contingently accomplished activities of situated actors' (1984: 191). For example, the criminal courts in any given society look, to external observers, like a very solid social institution, but in fact they continue to function only because people arrive in them every weekday and play out various roles (judge, lawyer, juror, etc.). Or, more formally: 'This duality occurs because knowledgeable agents are seen as reproducing in action the structural properties of society, allowing social life to be reproduced over time-space' (Brewer, 1988: 146).

From the perspective of desistance theory and desistance policy, there are two very positive features of Giddens' approach. The first is his strong focus on *human agency*. The individual really does have choices, even in what look like fairly constrained, or even desperate, circumstances. This insight accords very well with the fact that all criminologists who have researched desistance can give examples of people moving towards desistance from apparently very unpromising situations. Secondly, by emphasizing that social structures exist only because people reproduce them, Giddens reminds us that, under some social conditions, structures will in fact *not* be maintained. The most dramatic example in recent decades is, of course, the collapse of the political structures of many East European states in the late 1980s and early 1990s. This example gives hope to those who wish to press for social change in order to modify structures so that the prospects for desistance might be improved.

Yet, as Mouzelis points out, Giddens' theoretical approach is relatively weak precisely when dealing with social change. Although structures exist only because they are routinely reproduced by agents, to someone outside the system wanting to change them they can look remarkably fixed and permanent; and in such contexts, argues Mouzelis (2008: 166f), we need to think not of the *duality* but of the *dualism* of structure and agency (with the would-be 'change agent' in an oppositional stance to some features of the structure). Or, to put it another way, as Johnson (1990: 119) comments, we need to give equal theoretical weight at the level of human motivation to practices that can *change* social systems and those that *reproduce* them.

Bourdieu's theory of practice

Mouzelis (2008: ch. 8) also criticizes Bourdieu's (1977, 1990) theory of practice. For Bourdieu, an individual's set of dispositions and perceptions of the social world (which he calls the *habitus*) is key to understanding the relationship between social structures and individual and group practices. The practices required by social structures – for example, strongly differentiated gender roles in traditional societies – frequently become internalized by actors, whose reaction to them becomes almost unconscious, so that they become *dispositions* (for example, in many traditional societies it simply becomes *assumed*, by both men and women, that 'the woman's place is in the home'). At the individual level, such dispositions help to promote some behaviours and actions over others; and such practices, Bourdieu argues, reproduce social structures. Dispositions would include habits of behaviour (including offending, for persistent offenders) and also mind-sets resulting from educational level, acquired skills and so on. Thus, in Bourdieu's model, the *habitus* transcends the agent/structure divide by, in particular, incorporating structure into agency. Mouzelis, who sees each person (actor) as making choices based on his/her own relationship with others and with

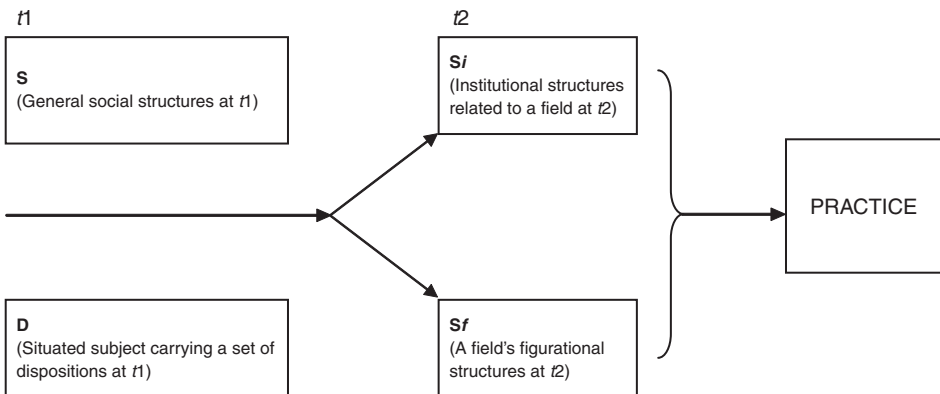


Figure 1. Restructuring Bourdieu's theorization of agency and structure

Source: Mouzelis (2008: 140)

surrounding institutional structures, criticizes Bourdieu for underemphasizing the 'rational, calculative and reflective aspects of human action' (2008: 139). Bourdieu's response would be that the *habitus* pertains not only to the objective (the *habitus* as a product of structures) but also to the subjective (the *habitus* as "structuring" structures' – Mouzelis, 2008: 137). For Mouzelis (and ourselves), however, this understates the extent of an agent's freedom of action, and thus ultimately entails an impoverished view of the subject (see also MacLeod, 1995: 256).

Mouzelis therefore suggests a reconfiguration of Bourdieu's model, in a diagram reproduced here as Figure 1. Within the diagram, we begin at Time One ($t1$) with a set of general social structures (S) in place, some of which will have been internalized by the social actor (via processes of socialization and personal experiences), so that the actor has acquired a set of dispositions (D). Subsequently, at Time Two ($t2$), the subject – the carrier of such *habitus* – becomes involved in a fresh field of activity (for example, he might leave prison after his first custodial sentence). This actor, carrying his dispositions (D), then encounters, first, what Mouzelis describes as the 'institutional structures' of the new field (Si), for example, the extent to which employment structures make it easy or difficult for an ex-prisoner to find work; and, secondly, the 'figurational (or relational) structures' of the new field (Sf), for example, the structures of relationships with family members and with friends, necessarily renegotiated in the context of the agent's new status as an ex-prisoner. The agent's resultant practice (the box on the right-hand side of Figure 1) will then be the product of choices made in ongoing situations, in each of which situations D, Si and Sf will all have been potentially in play, along with the subject's agency – but none of them will necessarily have been decisive.

Bourdieu's (and Mouzelis') emphasis on actors having acquired particular dispositions through the operation of social structures (including class, educational systems and poverty) is helpful, and is a feature that is missing in Giddens' theoretical framework. Certainly, too, the ways in which actors then situate themselves in relation to

their immediate structural surroundings may affect their behaviour in that situation (see also MacLeod, 1995). However, we would emphasize that actors' own *perceptions* of both the institutional structures and their immediate surroundings are what then guide their 'choices' (see note 8). Those perceptions will relate to their previous experiences ('socialization'), but they will also relate to how the agent sees himself or herself (social identity).

How then can those who are persistent offenders try to desist? As Mouzelis (2008: 136) notes, Bourdieu and others 'underemphasize the agentic, voluntaristic, strategizing qualities of actors'. For Mouzelis (2008: 137), an agent can in principle employ 'rational calculation and/or reflexive handling of . . . norms and actions', and the agent's actions can then lead to 'reflexive accounting'. In other words, persistent offenders who have decided to try to desist can strive to achieve that desistance through situating themselves in relation to the structures surrounding them, adjusting their self-perception along the way (see Farrall, 2005). Because, for Mouzelis, structures are not just simply institutional arrangements (such as the eligibility and priority rules for social housing in a given local area) but also patterned sets of relationships in particular contexts (which might include relationship structures based on racism or on hostility to sex offenders), the desistance-related struggles of the actor might very well occur in relation to patterns of informal behaviour and accepted moral views, as well as in relation to the formal institutions of the state, the employment market, etc. It is worth repeating, however, that one of the key mechanisms within this process will probably lie in agents' perceptions of structures, for, as MacLeod (1995: 135–49) demonstrates, groups of people in objectively identical circumstances sometimes respond differently to similar structural conditions. Results of this kind are bound up with perceived social identity, and hence with 'softer' emotions such as hope, aspiration and cultural belonging (to families, religious groups, etc.). So desisting actors might well, as they struggle through the dispositional backdrop of their life, also start to change their own perceptions of what those structures are, how they are valued, and their personal identity in relation to these structures.

How does the above relate to the discussion we are about to offer concerning structural change in the UK over the past few decades in relation to the economy, family relationships and government policies? To anticipate the argument, we shall be suggesting, among other things, that the way in which British society views offenders of any age has changed, with potential consequences for the dispositions of offenders; also, in the economic sphere, macro-social change has radically altered the employment market. Clearly, such changes could significantly alter the pathways of offenders trying to desist, as they confront the kind of journey sketched in Figure 1. We now need, therefore, to look more closely at some examples of these shifts in social structures.

National and regional structural changes and their implications for desistance

Our central premise is that desisting from crime, be it the sort of desistance that requires an all-encompassing re-organization of the individual's sense of self (Maruna and Farrall, 2004) or those (we suspect) more common and less dramatic pathways away

from crime, essentially means in some way becoming a more fully integrated member of civil society. In this section, our goal is therefore to explore how some macro-level changes experienced in the UK (and in particular in England and Wales) over the past 30 years have affected the abilities of people caught up in crime to make this transition 'towards the mainstream'.⁹ We shall concentrate on three sets of changes – those relating to employment; the family and housing; and criminal policy. This limitation is adopted partly for reasons of space, but also because the research literature contains firm empirical evidence that each of these three spheres of social organization has the potential to influence attempts to desist from crime; hence we can be certain that these are relevant structural issues.

Changes in employment practices and the wider economy

In the past 30 years, one of the most significant changes experienced by the UK economy (in common with the economies of several other European countries) has been a change in the nature of available employment. In particular, there has been a significant decrease in the number of people employed in the manufacturing sector of the economy. The official document *Social Trends* for 2007 (Office for National Statistics, 2007: 47) reports that:

Over the last 25 years the UK economy has experienced structural change. The largest increase in employee jobs has been in the banking, finance and insurance industry, where the number of employee jobs has doubled between June 1981 and June 2006 from 2.7 million to 5.4 million. There were also large increases in employee jobs in public administration, education and health (up by 40 per cent) and in the distribution, hotels and restaurants industry (up by 34 per cent). In contrast, the extraction and production industries, made up of agriculture and fishing, energy and water, manufacturing, and construction showed a combined fall of 43 per cent from 8.2 million jobs in 1981 to 4.7 million jobs in 2006. Manufacturing alone accounted for 81 per cent of this decline, with the number of employee jobs in this sector nearly halving from 5.9 million in 1981 to 3 million in 2006.

Alongside the decrease in manual labour, there has been an increase in jobs in the knowledge economy (i.e. banking, finance and insurance). Such jobs, generally speaking, require graduate-level (or equivalent) skills, are highly competitive and are essentially 'white-collar' occupations. They are not usually jobs that those with few (or no) formal skills are often able to either gain or even aspire to. Thus, exactly the type of employment that in the past assisted many men in making the move away from crime (manual labour) has largely disappeared, to be replaced either by posts that require formal qualifications or by lower-status white-collar jobs that have often, in the UK, had the image of 'feminized' work (and therefore might be culturally difficult for young males to consider). In addition, there has been an increasing tendency for employers to ask prospective employees to undergo a Criminal Records Bureau (CRB) check, demonstrating no previous convictions;¹⁰ obviously, this potentially creates difficulties for offenders wishing to desist.

More broadly, the general tendency of recent structural change in employment in the UK is towards an increasing polarization between two groups of potential employees: those

who can provide evidence of their skills on paper, and as such are deemed 'employable'; and those who have not sought, or have been unable to seek, such qualifications and as such are considered 'unemployable' (Furlong and Kelly, 2005). Within such a context, we need also to note some of the effects of recent national educational policies, especially the introduction of managerialist 'league tables' of schools, based on examination results (Timmins, 2001: 566). Although such policies have raised aggregate performance levels, they also seem to have encouraged the practice of school exclusion for less successful pupils (seen as potentially disrupting other pupils' work). Thus the polarization seen in the workplace (see above) is reflected also in the classroom (Willis, 1977).

Given this context, the would-be desisters among adult offenders, many of whom have no educational or trade qualifications and have 'spoiled' pasts, have a limited set of options. One option is to rely on casual employment or the informal economy (Shapland et al., 2003). However, even casual employment agencies may check the criminal records of potential employees (although it is unclear how many actually do check) and, often, the pay in casual employment is worse, making such employment relatively unattractive and more difficult to sustain as workers acquire dependants.

An alternative route lies in self-employment. This too poses problems for people with criminal pasts. Building up sufficient business to secure a reasonable income may take many years, especially if the business is run legitimately and needs to pay sales taxes. Alternatively, if the work is such that much of the business is run on a 'cash in hand' basis, this creates no official record of employment, making the transition into mainstream employment harder. A third option is to seek retraining that will lead to employment in the knowledge economy or in distribution or service sectors – but such training often requires at least some basic level of educational attainment, and sometimes higher qualifications, which may put it beyond the reach of many ex-offenders, given their low level of certificated, formal qualifications and education.¹¹ In addition to these structural factors, as several ethnographic studies have shown, a culture of low aspiration may often in effect rule out the more demanding of these options (MacLeod, 1995; Willis, 1977).

Such processes may, of course, also vary in different ethnic groups. Calverley (2009) has shown that the Black British would-be desisters in his sample had very poor experiences of and opportunities for employment, whereas those from the Indian community were far better resourced; and Bangladeshis were most likely to be assisted by family members, reorienting them to conventional goals. However, the potential role of families and friends in being able to act as a 'buffer', providing a start in employment for those who are hindered by their pasts, is not confined to any particular ethnic group, and it can be invaluable. In Mouzelis' (2008) terms (see Figure 1), it is an example of figurational structures that are *enabling*, allowing individuals and groups to overcome the problems of institutional structures that are *constraining*. But by no means all would-be desisters have these kinds of aids available to them.

In summary, it would appear that changes in the economy have restructured the legitimate routes out of crime and – together with changes in the educational system – have additionally influenced the availability of and access to such routes. In this respect, changes in the economy may have altered the speed, nature and timing of ways out of troubled pasts. Additionally, these processes may also be differentially mediated by the cultures of and opportunities available within different ethnic groups.

Changes in relation to marriage, families and housing

One of the most dramatic changes that UK society has witnessed in recent decades has been the trend away from marriage and towards cohabitation. Marwick (2003) notes that the proportion of women aged 18–49 cohabiting (i.e. living with, but not married to, a man) rose from 2.7 percent to 6.4 percent in the period from 1979 to 1987. If one considers those aged 18–24, the shift is even more dramatic, from 4.5 percent to 11.5 percent. Data for 2005 (Office of National Statistics, 2007: 19) show that this trend has continued strongly: in 2005, 23 percent of never-married men and 28 percent of never-married women between the ages of 16 and 59 were cohabiting. The same report (2007: 18) finds that the average age at first marriage for both men and women has also increased: in 1971 the average age was 25 for men and 23 for women; by 2005 it had risen to 32 and 29, respectively. The consequences for society of these changes include an increasing number of 20 year olds continuing to live at home with their parents and a rise in ‘independent living’ (i.e. one-person households).

Following the distinction between ‘institutional structures’ and ‘figural structures’ suggested by Mouzelis, one can reasonably argue that, whereas recent changes in employment structures are mostly institutional, many of those in the sphere of marriage and the family – including the trend towards cohabitation – are primarily figural (or relational). In other words, they have been produced mostly by the actions of social actors ‘on the ground’. However, institutional forces (i.e. the rules and approaches adopted by systems of thought or bureaucracy) are also at work in this sphere. For example, tax systems once recognized marriage as a social institution, but now married couples are taxed as individuals. Divorce, too, has been made legally easier to obtain, and financial and social policies have also taken into account the reality of a much higher divorce rate since 1970 and the fact that many more children now live in more complex family arrangements. These changes, together with those noted earlier, have resulted in a declining average size of household (from 2.9 in 1971 to 2.4 in 2001) and therefore the need for the economy to provide more houses per population.

However, within the rising stock of housing units, there have been important shifts in the distribution of housing tenure. Most importantly, whereas, in 1971, 56 percent of households in the UK were ‘owner-occupiers’,¹² by 2006 that figure had risen to 70 percent. Conversely, the proportion of households renting from ‘social landlords’ (i.e. landlords other than those renting for commercial reasons) declined from 31 percent to 19 percent (Office of National Statistics, 2008: 138).

What are the implications of these trends for desistance? It seems likely that the changes in housing tenure, together with recent financial crises, make it more difficult now for young people to set up house independently of parents and family. It will be particularly difficult where the families of origin do not have the financial means to contribute to the new family and/or where young adults are estranged from their families of origin. These conditions are particularly likely to occur amongst those with a significant history of adolescent offending, who will inevitably often find themselves looking for accommodation in the shrinking ‘social housing’ sector.¹³ These institutional factors will, in turn, interact with the documented tension in early adulthood between the contrasting normative ‘pulls’ of (offending) peers and of (non-offending)

families and partners, as would-be desisters try to set up their own homes, often with partners who have much more pro-social attitudes in relation to offending (Bottoms and Shapland, 2010).¹⁴

Within this complex picture, it is not easy to assess what the effects will be of the trend away from marriage and towards cohabitation. One might reasonably hypothesize that the undoubted diminution of the social disapproval of cohabitation has made it easier for young would-be desisters to move into positive relationships with non-criminal partners. Prior research, however, presents us with mixed evidence on this issue. Sampson and Laub's findings on the beneficial effect of marriage in their 1940s samples led them to expect a similar outcome for cohabitation in later decades (1993: 304); but, as Savolainen (2009: 290) notes, in studies in North America to date, no such evidence has yet emerged, although the findings about marriage have several times been replicated. Savolainen himself, however, has a reverse finding for Finland; that is, in his sample of recidivistic offenders, transition to cohabitation was associated with greater reductions in criminal activity than getting married. In his view, the reason for the positive Finnish finding on cohabitation is that 'cohabiting unions [are] treated the same way as marriages in terms of law and public policy . . . [and] 90 per cent of Finns . . . consider cohabiting couples with children as "families"' (2009: 290–1).¹⁵ Because, on this variable, it seems that England and Wales might hold an intermediate position between the US and Finland,¹⁶ it is particularly hard to assess the effect of the move to cohabitation in the UK.¹⁷

We need to add to this mix of social trends the finding that, nationally, married women are waiting longer before having children: in 1971, the average age of women at the birth of their first child was 23.7; by 2005 it had risen to 27.3 (Office of National Statistics, 2007: 21). (For unmarried women, the age has also increased, but has stayed at about four years earlier.) Although, in general, this would imply that the age at which men take on child-rearing responsibilities is rising, our research experience suggests that early parenthood (which might often be unplanned and possibly not always taking place within committed relationships) remains high in some sections of society, especially poorer and marginalized groups – in other words, the groups in which one might expect to find engagement in street/acquisitive crimes.

Changes in criminal policy and in conceptualizations of offenders and offending

It is impossible to discuss recent social-structural developments relevant to desistance in England and Wales without mentioning key shifts in criminal justice system thinking and in criminal policy. We set out below some of the major developments that are relevant to our theme.

The emergence of crime as a key element in the politician's 'toolbox'. As many commentators (e.g. Downes and Morgan, 1997: 87; Evans, 1997: 75) have noted, crime became a significant issue in national elections in the UK in the mid- to late 1970s, in a way that had not been true before that time. Part of the reason for this was that recorded crime had

risen steadily from 1955 onwards, at an average rate of 5 percent per annum, a trend that continued until the early 1990s. This shift from politically marginal topic to political 'hot potato' has occurred simultaneously with the rise of neo-liberal economic policies in both the UK and the US, though the causal connexions between the two trends are complex (see Farrall and Hay, 2010). In the UK, the 'law and order issue' was originally pressed politically by the Conservative Party (see Nash and Savage, 1994), but more recently it was strongly taken forward by governments of the Labour Party. The issue has also continued to be politically prominent despite decreases in recorded crime since the mid-1990s.

Increasingly punitive approaches to crime. A second major theme is the development of increasingly punitive policy approaches to crime. This punitiveness has focused especially on violent and sexual offenders and on repeat offenders. Its most obvious manifestation is the massive growth in the size of the prison population, which in England and Wales rose from 49,500 in January 1995 to 82,100 in January 2009, a cumulative growth rate of 3.8 percent per annum, despite the reduction in recorded crime for most of this period. (By contrast, in the period 1945–1995 the average growth rate was 2.5 percent per annum, at a time of steadily escalating recorded crime rates.) The recent rapid population increase results both from an increase in the courts' use of imprisonment rather than non-custodial penalties, and from a lengthening of the average prison sentence imposed. Other features of the increasing punitiveness of recent criminal justice policy include the 'tightening up' of prison regimes in various ways and a general tendency to make community sentences more onerous.

The net effect of these developments has been subtly to redefine the relationship between the offender and the state. Increasingly, the 'penalty box' analogy has been eroded. In the view of the classical jurists, during a period of punishment the state suspended various rights of the punished citizen; but, on completion of the punishment, the citizen resumed those rights. More and more, however, such a view is being replaced by an ideology in which the individual being punished becomes a sort of 'non citizen' (Bauman, 2004) or 'other', who is permitted to return to civil society either grudgingly or not at all.¹⁸

The redefinition of rehabilitation. Not unrelated to the above, the period since the mid-1970s has seen some important changes in the way that the concept of the rehabilitation of offenders has been understood and developed within the criminal justice system. This concept was, in the early postwar period, a cornerstone of the system, and at that time the welfare of offenders was usually considered to be integral to rehabilitation. That version of 'the rehabilitative ideal' was dealt a severe blow by a series of research overviews (e.g. Brody, 1976; Martinson, 1974) and controlled experiments (e.g. Folkard et al., 1974, 1976); these resulted in a marked diminution of confidence in rehabilitative approaches. Simultaneously, related developments led to the emergence of some sharp criticisms of social work and the social work profession. Among the many consequences of these events, the training of probation officers in England and Wales has been drastically reshaped so that it is no longer associated with social work training (Raynor, 1996: 17). 'Rehabilitation', however, has not died; instead, since the 1990s it has been reborn

in the so-called 'What Works?' agenda, where the primary theoretical focus has been on cognitive-behavioural treatment approaches, centred upon the modification of offending behaviour and the development of improved 'thinking skills'. This version of rehabilitation (partially supported by empirical research – Harper and Chitty, 2005) differs from the postwar rehabilitative approaches in that it places less emphasis on helping offenders overcome practical obstacles to desistance (e.g. in employment and housing) and more emphasis on 'modifying the dynamic risk factors' in their criminal profile (see, generally, Raynor and Robinson, 2009). Thus, 'reintegration into the mainstream of civil society' plays a relatively muted part in the newer official version of rehabilitation.¹⁹

The rise of the risk agenda. The concept of the 'risk society' has become familiar to sociologists in the past twenty years. In particular, Beck (1992) and Giddens (1990) have described a family of changes in which individualization has to an extent been eroded and a new, more 'category-based' and security-focused approach has been adopted by both public agencies and the private sector. More specifically within the criminological domain, Kemshall (2003), for example, has linked the rise of interest in risk with the demise of the 'modernist' welfare-oriented penal agenda.²⁰ Such developments are arguably linked closely to the rise of an 'information' (or 'knowledge') society, wherein the production and exchange of knowledge are central to the economic activities of contemporary societies. Information is stored, retrieved, analysed and exchanged in order to secure financial gains or, in some cases, to guard against losses or harms. In the context of this rise of the knowledge economy, the reconfiguration of rehabilitation and the increasingly punitive turn in criminal justice policies have led, we would argue, to the notion of there being 'a public' that needs to be 'protected', 'risks' that can be 'assessed', and sufficient information and actuarial accuracy to make such assessments. These ideas are obviously attractive for politicians mandated to control crime.

Within the criminal justice system, it is continually necessary to take important decisions about the lives of individuals. The rise of the risk agenda means that there is increasing pressure to apply 'risk assessment' tools to guide such decisions, but it is always necessary to remember that such tools are based on *past experience* with *groups of offenders* having some similarities with the individual currently being assessed. One British example is the Offending Group Reconviction Scale, which uses aspects of the offender's criminal record to predict for any individual the percentage probability that he/she will be reconvicted in the next two years (Copas and Marshall, 1998). It has been well validated statistically, and it is extensively used by probation and prison staff in England and Wales. However, having a high score, say of 80 percent, does not necessarily mean that that individual offender will reoffend; it simply means that four out of five offenders with this particular set of background characteristics will be reconvicted – and there is no way of knowing whether this individual will be one of them. Indeed, desistance research shows that in both the US and the UK even very persistent offenders can desist – and that it is very difficult to say from offenders' previous criminal records which individuals will do so (Bottoms and Shapland, 2010; Ezell and Cohen, 2005; Laub and Sampson, 2003).

The rise of the risk management style of thinking in the probation service has been charted by Gwen Robinson (2002), who notes that approaches to risk management are

not 'imbued with a sense of transformative or rehabilitative optimism' (2002: 10). Indeed, more generally one might argue that the central message of the risk-based approach is not 'do good' but 'prevent harm'. Robinson's respondents reported some disturbing practices, such as the placing of all cases into high-risk teams for some of their sentences (2002: 15). Other problems for the treatment of offenders can also arise. In an era dominated by concerns with protection of the public, risk assessments can lead to a risk-averse mind-set on the part of officials, and consequently to defensive or precautionary actions (such as refusing bail or parole). In a review of the resettlement of prisoners, Maguire and Raynor (2006) point to developments within the practice of resettlement that, although being congruent with the suppression of risk, are in tension with elements that we know to be related to desistance. They report that a major focus on the enforcement of penalties and the emergence of rigid approaches to such enforcement has made it harder for individual probation officers to adapt their working practices to the needs of individual offenders as they try to resettle (2006: 33). Similarly, recalls to prison on the basis of minor offending or technical breaches tend to ignore the well-established 'zig-zag' nature of desistance, whereby – as with addictions – individuals tend to desist gradually rather than suddenly (Burnett, 2004). Relapses are common even within a desisting pathway, and automatic harsh enforcement may create more problems in the longer term.

But perhaps the most worrying of outcomes from the 'risk agenda' arises from the trend towards *categorizing* people on the basis of their level of risk, and assuming that these categorizations remain valid or invariable in the next few years. This is particularly true for late adolescence and the early twenties, when there can be major changes in lifestyle and social contexts. By categorizing an individual as 'high risk', one sends various messages. The first of these is sent to the classified offender. Without wishing to completely accept labelling theories, we view the communication to individuals that they are at 'high risk' of re-offending as essentially equivalent to saying to them 'You can't change'. In some cases this may motivate the individual to prove the system wrong, but in many cases, given the obstacles to desistance such individuals may already face (lack of qualifications, lack of employment record, etc.), we suspect that this message may lead to a fatalistic outlook. Another recipient of the 'high-risk' categorization is the probation officer who might be required to work with such an individual, and who may (i) be led into assuming that the individual concerned needs to be treated in ways that may reinforce this label or (ii) feel that there is little point in working constructively with an individual with such a high risk of reconviction.

One of the recent developments in desistance research has involved the investigation of 'strengths-based' work. In one such recent study, Denis Bracken and his colleagues, studying desistance programmes amongst native people in Canada, report that the work undertaken had the effect of educating this marginalized group about its own and Canada's histories and how these interweaved with one another (Bracken et al., 2009). The message that many of those involved in the programme took away with them was: 'This is not *your* problem; it is a function of wider Canadian society, which has successfully marginalized your ethnic group.' Such a message allowed individual ex-offenders to feel that the problems they were encountering were part of a wider process and not a (further) example of their own failings. High-risk labels, however, do exactly the opposite of this.

Finally, high-risk categorization potentially also sends important messages to those working in the criminal justice system and those who rely upon it. The message being sent is: 'This person is not to be trusted and won't change.' When conveyed to others in the criminal justice system, such a message may result in fewer opportunities that might aid resettlement (such as day-release or parole). Similarly, when communicated to those outside the criminal justice system (such as potential employers, either as part of a day-release scheme or as part of 'normal' hiring processes), such a message again is likely to reduce the chances that an individual so labelled will be hired. It is worth reiterating that the desistance process operates primarily in the 20–29 age group. This is the time when adolescent patterns of behaviour, identities and values are normally supplanted and, for ex-offenders, adult identities as members of civil society are sought. It is a time of considerable change and development. Categorization as high risk and as an offender is likely to be inimical to these processes of individual change. An effective policy on reducing crime rates needs to concentrate on precisely these high-risk offenders (who have been offending most frequently) with the aim of constructively helping some to reduce or cease offending – rather than categorizing them as hopeless.

Our analysis of national and regional structural changes in the UK in the past 30 years has, we believe, shown fairly conclusively that, in principle, such changes could have significantly affected would-be desisters' paths to desistance. That being so, the case for desistance researchers to address social structures more fully than in the past is, we believe, strong. We have examined social structures in the fields of employment, of the family and housing and of criminal policy, in each of which relevant structural changes could readily be discerned; but of course other structural changes might also be relevant.

Developing capabilities for would-be desisters

In this concluding section, we turn more explicitly to questions of social policy. In particular, we explore whether Amartya Sen's so-called 'capability approach' might be of assistance in illuminating policy options in the field of desistance and social structures.

Sen is a leading economist who is also keenly interested in philosophy, and his 'capability approach' – first developed some years ago – has now been incorporated into his developed theory of distributive justice (Sen, 2009). As a welfare economist, Sen is much interested in issues of poverty and economic development, and he is very concerned, among other things, to effect improvements in the quality of life among the most disadvantaged and socially excluded members of society.

The two central concepts within the capability approach are 'functionings' and 'capabilities', both of which relate to a person's 'well-being' (Crocker and Robeyns, 2010). *Functionings* are 'the various things a person may value being and doing' (Sen, 1999: 75), and examples of functionings therefore include 'being adequately nourished, being in good health, avoiding escapable morbidity, being happy, having self-respect, and taking part in the life of the community' (Alkire et al., 2008: 2). The inclusion of 'self-respect' within this list is interesting in the present context, especially when one notes that for Sen this concept is quite closely linked to a 'functioning' originally mentioned by Adam

Smith (1979 [1791]: 471), namely ‘the ability to appear in public without shame’ (we shall return to this issue shortly).

A ‘functioning’ is ultimately an *achievement*, but, given the constraints of social structures, people often do not have the *capability to function* in the manner that they would truly value (Crocker and Robeyns, 2010: 62–3). (There is therefore a distinction between *achieved functionings* and *valued but unachieved functionings*.) Turning then to *capabilities*, for Sen this is a freedom-related concept, so that, as Alkire et al. (2008: 2) put it, a ‘person’s capability reflects her freedom or (real) opportunities’. Thus, for example, if (as was true even within the last century in the UK) membership of a national parliament is restricted to males, then a woman whose valued functionings include being able to contribute to national political debates will necessarily find that her ‘capability’ (that is, her ‘actual freedom’ or ‘real opportunity’) is significantly more restricted than her valued functionings. Therefore, the expansion of what Sen calls ‘opportunity freedoms’ – normally by removing social-structural blockages – will necessarily involve an expansion of capabilities for many individuals. Putting it another way, ‘what is ultimately important is that people have the freedoms or valuable opportunities (capabilities) for [their valued] functionings, hence the real freedom ... to be the kind of person they want to be’ (Crocker and Robeyns, 2010: 63). Given this background, it is easy to see why the ‘capability approach’ has been highly influential among those concerned with issues of economic and social development (poverty, health, education, etc.) in developing countries.

Space precludes a full discussion of the capability approach here, but a few key points should be made. First, since functionings are what ‘a person may value being and doing’, they are inevitably *subjective* but also *plural* (most people will have several valued functionings). Secondly, functionings are seen by Sen not merely as instrumental – that is, valuable as a means to the realization of a given goal – but rather in many instances as also having ‘intrinsic value’ for human flourishing (and not merely for human material well-being). Thus, when for example the capability approach is applied to educational policy, it ‘focuses on the intrinsic value of various abilities, and is not merely concerned with skills which are of instrumental use’ (Alkire et al., 2008: 14). Thirdly, the capability approach is individualistic in focus, a point that has attracted significant discussion in the literature (see, for example, the chapters by Alkire, Deneulin, Robeyns, and Teschl and Derobert in Comim et al., 2008), and also constitutes a marked contrast to the aggregative character of many economic analyses, especially those with a utilitarian basis.

The reasons for the potential relevance of the capability approach to the central topic of this paper – desistance and social structures – should now be clear. The valued ‘functionings’ of would-be desisters, as we have seen, are above all functionings connected with social inclusion – finding a steady partner, being a good father, living in a nice house, having a decent job, being ‘a normal person’ or ‘a good citizen’, and so forth. But, as we have also seen, for those who have become persistent offenders, social structures (such as the nature of employment opportunities or the working-out of the risk categorization approach) sometimes seem to constitute significant obstacles to the achievement of those valued functionings. Hence, for would-be desisters, capabilities (‘real opportunities’) often fall well short of valued functionings. The case for policies aimed at a careful expansion of ‘opportunity freedoms’ looks, and is, strong.

But two points need to be discussed a little more fully. The first relates to that ‘functioning’ described by Sen as ‘the ability to appear in public without shame’. In the literature on the capability approach, this matter is discussed with special reference to those who are in severe material need but who nevertheless may, for example, sometimes decline to ask for help or decline to join food queues. The reason for this reluctance is self-perceived shame at appearing in public in shabby clothes, or looking obviously malnourished, and so on (see, more fully, De Herdt, 2008). In other words, deeply felt *normative* blockages are preventing people from receiving much-needed material help. The context for would-be desisters is clearly very different, but for them also a sense of shame may again be a relevant consideration. It is very interesting, for example, that the former substance abuser quoted in our first section began his comments by saying, with evident relief, ‘I am not a shame for society anymore’; for him, ‘the ability to appear in public without shame’ was clearly an important achieved functioning. But although shame is a factor for both the poverty group and the would-be desister group, an important difference between them is that, at least in a well-run and decent society, good citizens will judge that, at the time of their conviction, offenders *should* rightly feel shame for their condition, whereas the poverty group should not. Yet – and this is the central point for the purposes of this paper – a well-run and decent society needs also to recognize the aspirations of most ex-offenders to desist and to become again mainstream members of civil society. To achieve such a condition is, rightly, seen as a valued ‘functioning’ by many ex-offenders, and it is of significant intrinsic value to their sense of themselves as people. But, for utilitarians, it is worth adding that such a goal also has instrumental value from society’s point of view in assisting long-term crime reduction.

Our second and final point brings us back more specifically to social structures. It is, unquestionably, a strength of Sen’s theoretical approach that he recognizes the importance of structures in sometimes blocking ‘opportunity freedoms’ for individuals; hence structures do play a significant part in his normative approach. Nevertheless, some scholars argue that he has not fully incorporated structures into his theoretical approach. He is certainly interested in those structural blockages that might impede individuals’ ability to achieve valued functionings, but he is seemingly less interested in developing structures that themselves incorporate aspects of human fulfilment. Severine Deneulin, for example, suggests that development studies, in seeking ways to enhance the quality of life of disadvantaged subjects, ‘cannot ignore’ the fact that human life is so constituted that for human beings ‘sustenance and meaning can only come through others’ (2008: 122). Hence, she makes a plea for more attention to be given, within the capability approach, to the qualities of collective life as such, to those ‘structures of living together’ that can significantly affect the meaning of life. As she puts it:

Development is not only a matter of promoting the freedoms that individuals have and that they have reason to choose and value, but, because the subject of development is at the same time both individual and collective, is also a matter of promoting the freedoms that collectivities have and that are worthwhile for the collectivity as such. Therefore, drawing up a ‘list’ of valuable structures of living together that build up a country’s necessary socio-historical agency to promote development, in parallel with Nussbaum’s list of valuable capabilities (Nussbaum, 2000: 75–7), would be a legitimate route that could be taken. (Deneulin, 2008: 122)

Essentially, the point being made here is that structures can be not only constraining (in this instance, blocking ‘opportunity freedoms’) but also enabling (enabling individuals and communities to work towards a better social policy approach to the encouragement of desistance). Moreover, we need to recall Anthony Giddens’ point that social structures exist only because human agents create and reproduce them; and there is therefore scope for change. In the best-case scenario, such processes would work together so that, in an adaptation of Deneulin’s phrase, one could ‘build up a country’s . . . agency to promote’ social inclusion and desistance.

Notes

- 1 A Home Office analysis of a national cohort of males born in England and Wales in 1953 found that 32.6 percent were convicted of a ‘standard list’ (non-motoring) offence by age 30, but, of these, 13.6 percent had only one conviction, as against 19.0 percent with two or more. See Home Office (1989: Table 2).
- 2 For example, one of Neal Shover’s (1996: 127) informants obtained employment with a beauty and barber supply company. He commented ‘The guy [employer] liked me from the jump. And that’s when I hooked up with him. And I went straight a long time *without the intentions* of going straight... That was one turning point in the later part of my life’ (emphasis in original).
- 3 Burchardt et al.’s point in adding the rider ‘he/she would like to participate’ was to omit from the ‘socially excluded’ those who had voluntarily opted out (e.g. monks, loners). Arguably this would also apply to professional offenders. However, it is clear from many desistance studies that it does not apply to ordinary repeat offenders.
- 4 Some might argue that, since the offenders of whom we speak committed their crimes voluntarily, their social exclusion is not ‘beyond their control’. Although that view carries weight during the offender’s period of actual punishment, in our view it carries none when the punishment has been completed; yet blockages to desistance often remain. We return to this issue in our conclusion.
- 5 Although it is not without importance to some (see Farrall and Calverley, 2006: ch. 6).
- 6 In the Sheffield desistance study, those seeking to desist frequently commented in interviews that the process of desistance involved a reduction in income, and therefore the necessity of reducing consumer spending on, for example, nights out in centres of entertainment (Bottoms and Shapland, 2010).
- 7 The GI Bill of Rights 1944 was an act of federal legislation in the US that enabled demobilized soldiers to obtain government-sponsored training and other assistance to help them to start afresh in civilian life after the Second World War. It has been described as ‘one of the largest social interventions in US history’ (Sampson and Laub, 1996: 347).
- 8 Throughout this paper, when we refer to ‘choices’, we do not mean only conscious choices made after consideration of all relevant outcomes and needs of that individual, as in rational choice theory; nor even the more ‘simple heuristics’ of ‘bounded rationality’ (Gigerenzer and Selten, 2001). We would also include less conscious choices stemming from habitual patterns of behaviour and also choices that reflect the direction that individual wishes to go in at that point, and that can be seen by the individual later as choice points (see also Gadd and Farrall,

- 2004), whether or not the individual has engaged in prolonged (or much) reflection before deciding.
- 9 The United Kingdom contains three separate legal jurisdictions, each with its own court system, prison system, etc. They are (i) England and Wales, (ii) Scotland and (iii) Northern Ireland. Of these, England and Wales is by far the largest, covering 89 percent of the population of the United Kingdom.
 - 10 The CRB reported that it processed almost 4 million checks for the period between 2008 and 2009 (Hope, 2009). Although Godfrey et al. (2007) have shown that, during times of labour shortages in the late 19th and early 20th centuries, employers may have 'turned a blind eye' to such assessments of character, in the present climate employers' insurers are increasingly placing pressure on employers to carry out such checks.
 - 11 In the Sheffield study of desistance, 93 percent of the offenders said at the first interview that they had been excluded from school at some point, and 46 percent had been excluded from school permanently or for a period of at least one month; 86 percent left school without any formal qualifications, although 51 percent had subsequently obtained some qualifications, often in penal establishments (Bottoms and Shapland, 2010).
 - 12 That is, persons who legally own the dwelling and live in it. The majority of such households do not yet own the dwelling outright, but are buying it with a mortgage to a bank or other financial institution.
 - 13 The availability of social housing does, however, vary markedly between different local areas in the UK, particularly because of differing policies pursued by various local government authorities.
 - 14 Breaking away from criminal friends may be particularly difficult for young adults living alone in small apartments. Bottoms and Costello (2010), in a small interview study of adult offenders, found that such living arrangements were associated with victimization for household crimes, often committed by persons known to the victim.
 - 15 But why, in the Finnish sample, was marriage less successful than cohabitation in preventing recidivism? Savolainen's tentative explanation is that 'in a culture where a typical marriage is preceded by several years of cohabitation, a relatively quick decision to marry a recidivistic offender may indicate greater tolerance for a criminal lifestyle' (Savolainen, 2009: 300).
 - 16 Savolainen (2009: 291) cites a Europe-wide public survey showing that, whereas 90 percent of Finns and Swedes consider cohabiting couples with children as 'families', this applies to only 50 percent in The Netherlands, with the UK in an intermediate position at 70 percent. If the US situation is similar to that in The Netherlands, the UK would indeed hold the intermediate position suggested in the text.
 - 17 Farrall et al. (2009) also suggest that processes of desistance for males living in the late 19th century differ from those in the contemporary period, in that employment and marriage were of less importance for the individuals in their historical sample than is typically found in modern desistance studies. They suggest that this may be explained (in part) by female emancipation during the 20th century, which gave females a 'warrantable voice' and hence some influence over their fathers, brothers, husbands and sons, and the need of employers to retain a workforce, rather than a 'respectable' workforce, at a time of industrial expansion.

- 18 These processes, discernible since the late 1980s, have uncomfortable echoes of the rhetoric about the 'dangerous classes' in Victorian society in Britain in the late 19th century, and the resulting clampdown on poorer areas (Godfrey et al., 2007; Pearson, 1983; Storch, 1981).
- 19 For this reason, some alternative visions of rehabilitation, such as the so-called 'desistance paradigm' and the 'good lives model', have more recently been formulated by academics interested in the theory of rehabilitation (see McNeill, 2006; Ward and Maruna, 2007). To date, however, these have had a very limited impact on official policy or practice in England and Wales.
- 20 For other influential discussions of the effects of risk and security categorizations within criminal policy, see Ericson and Haggerty (1997); Feeley and Simon (1992); Peters (1986).
- 21 At this point, for Sen, there is a bridge to the concept of *agency*. 'Once [people] effectively have these substantive opportunities, they can choose the options they value most' (Crocker and Robeyns, 2010: 63).

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